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16 June 2005

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

(54) Title: DETERMINING CANCER-LINKED GENES AND THERAPEUTIC TARGETS USING MOLECULAR CYTOGENETIC METHODS

(57) Abstract: Methods for identifying potential therapeutic agents, such as anti-tumor agents, based on their modulation of the expression of specified genes, especially genes mapping to specific chromosomal regions, are disclosed. Also described are methods for diagnosing cancerous, or potentially cancerous, conditions as a result of the expression, or patterns of expression, of such genes, including detecting changes in levels of gene copy number and/or level of amplification of the said gene, or sets of genes, to detect and/or diagnose the cancer. Methods for detecting or determining functionally related genes, as well as methods for treating cancer based on targeting expression products of such genes, determining genes involved in the cancerous process and the success and/or response rates and survival statistics for cancer patients on treatment are encompassed by the invention. Also encompassed are methods involving determining the modulated expression of the genes in these regions of interest (ROIs) as pharmacodynamic/pharmacogenetic/surrogate markers and/or for patient profiling prior to accrual for clinical trials/treatments based on the identification of these genes as validated gene/drug targets in various cancer tissue types.

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INTERNATIONAL SEARCH REPORT

International application No.

PCT/US04/09289

A. CLASSIFICATION OF SUBJECT MATTER

IPC(7) : C12Q 1/68

US CL : 435/6

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 435/6

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
Please See Continuation Sheet

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 01/92581 A2 (CORIXA CORPORATION) 06 December 2001 (06.12.2001), SEQ ID NO:8806, 8674, 8852, 8742, 8737, 8984, and pages 360-448.	1-83

☐ Further documents are listed in the continuation of Box C.

☐ See patent family annex.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T"

later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X"

document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y"

document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&"

document member of the same patent family

Date of the actual completion of the international search

28 December 2004 (28.12.2004)

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INTERNATIONAL SEARCH REPORT

International application No.

PCT/US04/09289

Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☐ Claims Nos.:
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:
Please See Continuation Sheet

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.: 1-83 (partial) regarding SEQ ID NO:1

Remark on Protest

☐

The additional search fees were accompanied by the applicant's protest.

☐

~~No protest accompanied the payment of additional search fees~~

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US04/09289

BOX III. OBSERVATIONS WHERE UNITY OF INVENTION IS LACKING

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1. In order for all inventions to be examined, the appropriate additional examination fees must be paid.

Group 1, claim(s) 1-83 (partial), drawn to methods of diagnosing cancer relating to SEQ ID NO:1.

Groups 2-874, claim(s) 1-83 (partial), drawn to methods of diagnosing cancer relating to SEQ ID NO:2-805 and 855-923, respectively.

The inventions listed as Groups 1-874 do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: each of the groups relates to a nucleic acid having a structure which is not shared with any of the other nucleic acids; thus, the special technical feature of each Group is the structure of the nucleic acid, defined by its nucleotide sequence. So there is no common structure among the nucleic acids of the different Groups.

Continuation of B. FIELDS SEARCHED Item 3:

USPAT, PGPUB, DERWENT WPI, MEDLINE, BIOSIS, GENEMBL, GENESEQ
search terms: cDNA, gene, cancer, SEQ ID NO:1